

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

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2005 JUN 27 A 10:30

DEBRA P. HADLEY, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA.

GARY PADGETT)
_____))
_____))
_____))
_____))
Plaintiff(s))
v.)
GWENDOLYN MOSLEY)
_____))
_____))
_____))
Defendant(s))

CA: 2:05 CV 608-A

MOTION TO PROCEED IN FORMA PAUPERIS

Plaintiff(s) GARY PADGETT

moves this Honorable Court for an order allowing her/him to proceed in this case without prepayment of fees, costs, or security therefor, and for grounds therefor submits the attached sworn affidavit in support of the motion.

x Gary Padgett
Plaintiff(s) signature

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA

AFFIDAVIT IN SUPPORT OF REQUEST TO PROCEED
IN FORMA PAUPERIS

I, GARY PADGETT, being first duly sworn, depose and say that I am the plaintiff in the above-entitled case; that in support of my motion to proceed without being required to prepay fees and costs, or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to relief.

I further swear that the responses which I have made to questions and instructions below are true.

1. Are you presently employed? YES () NO (☒)
 - A. If the answer is YES, state the amount of your salary or wages per month, and give the name and address of your employer. _____
 - B. If the answer is NO, state the date of last employment and the amount of the salary and wages per month which you received. Disabled
2. Have you received within the past 12 months any money from any of the following sources?
 - A. Business, profession, or form of self-employment? YES () NO (☒)
 - B. Rent payments, interest, or dividends? YES () NO (☒)
 - C. Pensions, annuities, or life insurance payments? YES () NO (☒)
 - D. Gifts or inheritances? YES () NO (☒)
 - E. Any other sources? YES () NO (☒)

If the answer to any of the above is YES, describe each source of money and state the amount received from each during the past 12 months. 0

3. Do you own cash, or do you have money in a checking/savings account?
YES () NO (X)

If the answer is YES, state the total value of the items owned. 0

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property [excluding ordinary household furnishings and clothing]? YES () NO (X)

If the answer is YES, describe the property and state its approximate value. 0

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support. 0

Plaintiff

STATE OF ALABAMA
COUNTY OF _____

Subscribed and sworn to before me on this _____ day of _____,
199__, at _____, Alabama.

NOTARY PUBLIC in and for said County,
in said State

(SEAL)

My commission expires _____.

OR

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 6-23-05.

* [Signature]
Plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

RECEIVED 6-22-05
(date)

2005 JUN 27 A 10:30

DEBRA D. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT, ALA

Signature of Affiant

GARY PADGETT 235231

CERTIFICATE

I hereby certify that the plaintiff herein has the sum of \$ 0.51 on account to his credit at the Easterling institution where he is confined. I further certify that plaintiff likewise has the following securities to his credit according to the records of said institution:

See Attached

I further certify that he has had the average sum on account at this institution as of the first day of each month of the immediate preceding months (not to exceed six (6) months).

1. \$	<u>See Attached</u>	on the 1st day of	
2. \$	<u>See Attached</u>	on the 1st day of	
3. \$	<u>See Attached</u>	on the 1st day of	
4. \$	<u>See Attached</u>	on the 1st day of	
5. \$	<u>See Attached</u>	on the 1st day of	
6. \$	<u>See Attached</u>	on the 1st day of	

B. Harbuck ASAT
Authorized Officer of Institution

DATE 6-22-05

STATE OF ALABAMA
DEPARTMENT OF CORRECTIONS
EASTERLING CORR FACILITY

AIS #: 235251

NAME: PADGETT, GARY EARL **

AS OF: 06/22/2005

MONTH	# OF DAYS	AVG DAILY BALANCE	MONTHLY DEPOSITS
JUN	8	\$0.00	\$0.00
JUL	31	\$6.60	\$90.04
AUG	31	\$57.36	\$100.00
SEP	30	\$24.13	\$100.00
OCT	31	\$38.65	\$150.00
NOV	30	\$31.59	\$75.00
DEC	31	\$108.65	\$200.00
JAN	31	\$37.79	\$25.00
FEB	28	\$7.59	\$0.00
MAR	31	\$6.62	\$50.00
APR	30	\$3.59	\$0.00
MAY	31	\$0.13	\$0.00
JUN	22	\$12.91	\$50.00